



State of Ohio Environmental Protection Agency

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US EPA RECORDS CENTER REGION 5



464898

ENTERED

George V. Voinovich
Governor

August 28, 1991

**RE: JACKSON COUNTY
JACKSON LANDFILL**

Mr. J. Gregory Fields
450 Vaughn Street
Jackson, Ohio 45640

CERTIFIED MAIL

Dear Mr. Fields:

On July 25, 1991, I inspected the Jackson Landfill located on Smith Bridge Road, Jackson, Ohio.

During this inspection, the following violations of the Ohio Revised Code (ORC), Ohio Administrative Code (OAC) and the Director's Final Findings and Orders (DFFO's) that were issued to you on August 20, 1987 were observed. August 20, 1987 was also the effective date of the Orders.

I have also included responses to Mr. Benson's comments to the June 4, 1991 notice of violation at the end of each of the following items.

A. DFFO's Violations

1. Order #3 and #6, respectively:

Order #3 - The operator shall submit to the Ohio EPA, SEDO, for approval, a ground water monitoring assessment plan sufficient to determine the impact of the facility on the ground water within 60 days of the effective date of these Orders. The operator immediately shall begin implementation of the approved plan in accordance with the schedules contained therein.

Order #6 - The operator shall submit to the Ohio EPA, SEDO, for approval, detailed plans for a leachate collection system within 60 days of the effective date of these Orders. The operator immediately shall begin installation of the leachate collection system in accordance with the schedule contained in the approved plans.

As pointed out in Mr. Stephen Hamlin's January 27, 1988 letter to Mr. John Noyes, both of the submitted plans had been reviewed and judged to be deficient.

To date, a leachate collection system has not been installed as ordered by the Director.

Mr. Benson's statement about an updated groundwater plan is correct and a meeting has been tentatively scheduled with him for 10:00 September 3, 1991 to discuss the Agency's comments on this plan.

Mr. Benson stated that leachate collections was being reviewed. Please note that only reviewing leachate collection is unacceptable. All leachate must be contained on the landfill site in order to achieve compliance.

2. Order #5 -

The operator immediately shall initiate action to minimize, control, or eliminate the conditions which contribute to the production of leachate.

Water coming in contact with the waste material contributes to the production of leachate. Therefore, action necessary to minimize, control or eliminate the production of leachate included a three to five percent slope on the top of the landfill to shed water and a landfill cap that meets the requirements of OAC 3745-27-10(C)(1) and (2) to slow the infiltration of water into the landfill.

I agree with Mr. Benson that an effort has been made because I did observe that some additional soil has been placed on the top of the landfill but solid waste is still present on the surface of the landfill (see item four (4) below).

3. Order #7 -

The Operator shall close the facility in accordance with Ohio Administrative Code Rule 3745-27-10 within 60 days of the effective date of the Orders. Please refer to the OAC 3745-27-10 violation listed below for specific violation of this order.

I realize that through SBA consultants you have recently started to address the violation of the DFFO's but until compliance is fully achieved, the violations continue.

B. OAC Violation

This landfill has not been closed as required by OAC 3745-27-10(C).

1. OAC 3745-27-10(C)(1) -

All waste materials deposited in the sanitary landfill shall be covered with at least two feet of well compacted cover material that meets the requirements set forth in Regulation 3745-27-09(F).

The cover on the top of the landfill appeared quite sandy.

2. OAC 3745-27-10(C)(2) -

The site shall be seeded with such grasses or other vegetation as will grow to form a complete and dense cover, which seeding shall be done as many times as necessary to insure compliance with this requirement.

I observed that the vegetative cover was sparse to nonexistent on the top of the landfill. Also, the three (3) soil borrow areas should be graded and seeded to establish a dense vegetation cover.

3. OAC 3745-27-10(C)(3) -

All land surfaces shall be graded to slopes of no less than 1% and no greater than 25%. The top of the landfill is quite flat. The North side of the site is steep with solid waste protruding from the slope.

4. OAC 3745-27-10(C)(4) -

All land shall be graded and drainage facilities shall be provided so as to direct surface water off the site, and not allow ponding of water on the site.

As stated in item 3 above, the top of the landfill is quite flat, so flat that if the cover material wasn't so sandy there would be ponding of surface water on top of the landfill as indicated by the previously observed cattail and sedge growth.

I also observed erosion ditches around the outslope of the landfill. Uncovered solid waste in the bottoms of these ditches was observed on the North, West sides of the landfill.

The sediment from this erosion has and continues to flow off-site and into Little Salt Creek.

Erosion and sediment control structures such as silt fence, straw bale dams, and sediment pond(s) should be installed and maintained.

A Permit to Install and detail plan approval must be obtained prior to the installation of Sedimentation Pond(s).

Item B of Mr. Benson's response lists "ORC Violation" but I believe that this should have read "OAC Violation." His response refers to items 1 through 4 and DFFO, Order #7 and basically states that our work is continuing."

As stated above, this facility has not been closed in accordance with OAC 3745-27-10 or the Director's DFF&O's of August 20, 1987.

5. OAC 3745-27-10(C)(8) -

A plat of the site shall be filed with the Board of Health having jurisdiction, the County Recorder of the county in which the facility is located, and the Director, which plan shall accurately locate and describe the completed site and include information relating to the area, depth, volume, and nature of the waste materials deposited in the sanitary landfill.

This office has not received a plat that meets these requirements

I believe the revised plat that Mr. Benson referred to in his response is the location map that was first submitted by Burgess and Niple, Ltd. in September 1987.

This map and the revised map of May 1991 do not meet the requirements of OAC 3745-27-10(C)(8) or the Director's Order #7.

C. Ohio Revised Code

1. 6111 -

Leachate were observed discharging from all sides of the landfill and entering Little Salt Creek either directly or via an unnamed tributary. I believe that some of this leachate is flowing over Lake Katherine Nature Preserve property before entering Little Salt Creek. All leachate should be immediately collected and treated on-site or transported off-site for treatment.

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2. 3734.02 (Rule Violation) -

Violation of OAC rules, such as OAC 3745-27-10, is also a violation of the ORC.

Mr. Benson stated that these violations are being addressed.

However, all of the violations must be corrected, not just addressed in order to achieve compliance.

In conclusion, the DFFO's of August 20, 1987, the Ohio Administrative Code (OAC) and the Ohio Revised Code (ORC) have been violated as outlined above.

I have reviewed the response to the June 4, 1991 violation notice and observed that some additional soil had been placed on top of the landfill since the May 9, 1991 inspection but until such time that each of the above listed violations are corrected they must continued to be cited.

Please provide this office with your written response to this letter within fifteen (15) days of receipt. Your response should list the reasons for the violations, what steps you will take to correct them and keep them from reoccurring and a time schedule for completing the actions.

Please contact me at this office if you have questions.

Sincerely,



Michael Nihiser, R.S.
District Representative
Division of Solid and Hazardous Waste Management

MN/jg

cc: Mike Savage - DSHWM, CO
cc: Jackson County Health Commissioner
cc: Paul Cotter, AGO
cc: Michael Patrick, General Manager
Sanitary Commercial Services
1814 Smith Bridge Road
Jackson, Ohio 45640